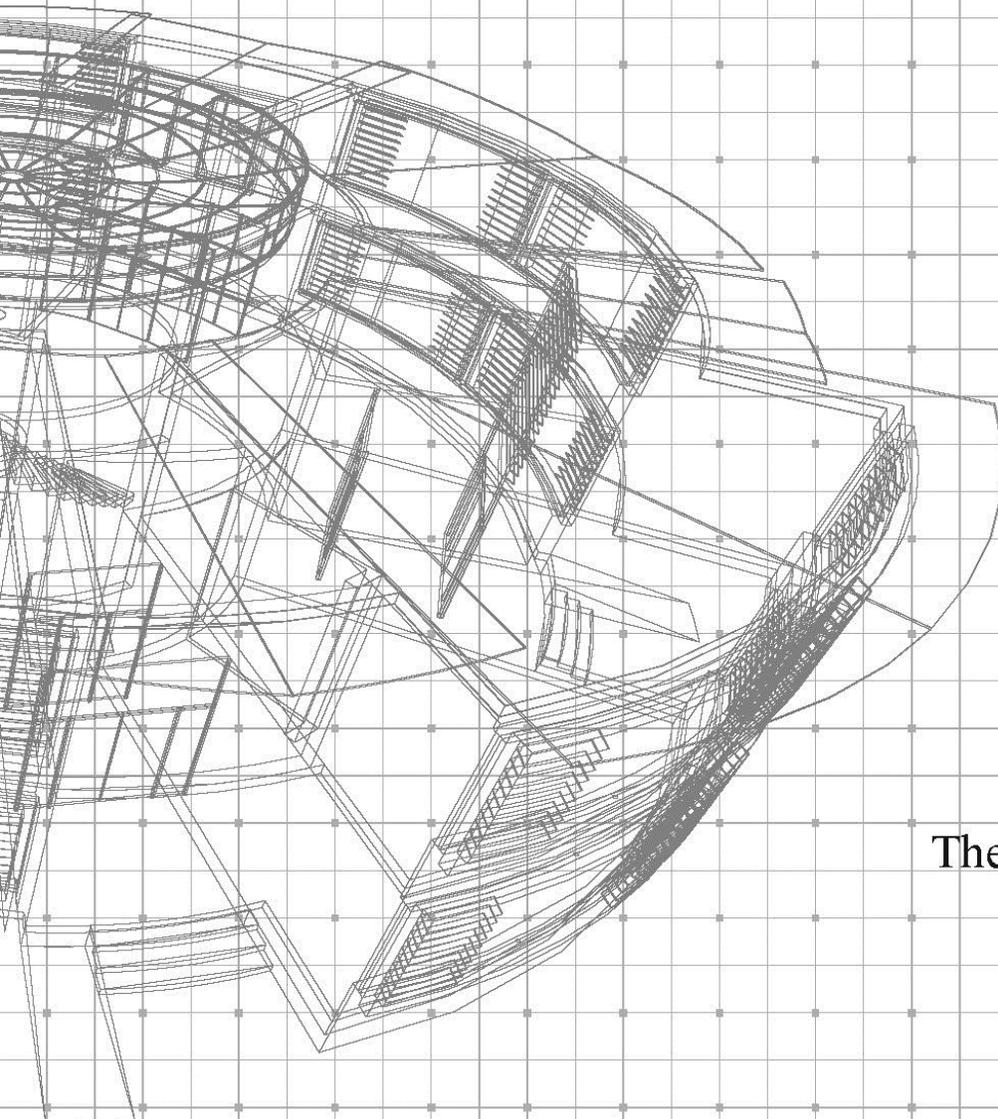


CHAPTER 4

Jail, Warrants and Court Security

St. Louis County Sheriff's Office



The Duluth
blueprint
for **safety**

Jail, Warrants and Court Security

Jail Booking, Supervision, and Release

Training Memos

Available online from Praxis International's *Blueprint Materials*
(http://www.praxisinternational.org/blueprint_materials.aspx):

- *1A Practitioners' Guide to Risk and Danger in Domestic Violence Cases*
- *1B Training Memo - Risk and Dangerousness*
- *1C Training Memo - Intervention with Victims of Battering as Suspects or Defendants*
- *4A Safety Considerations in the Sheriff's Office Management of Domestic Violence Cases*

Jail Objectives

1. Book and release domestic violence offenders according to established procedures.
2. Protect domestic assault victims from intimidation and harassment by the suspect/defendant while in custody.

Procedures: Jail Booking, Supervision, and Release

1. Booking new inmates (found in Admissions and Procedures Policy)
 - a) Verify the date and time of arrest.
 - b) Book the inmate on all charges listed in the paperwork presented by the arresting officer.
 - c) Check to make sure the arresting officer has provided victim contact information as well as alternative numbers. Record the information appropriately in the jail's information system.
 - d) If requested by victim at time of arrest, block the inmate's access to the victim's phone number listed on the information form. A request can be made to unblock the number and will be permitted after 30 days.
 - e) Conduct the mental health screening per policy with Medical Questionnaire.
 - f) Document on the tracking sheet any threats made to harm the victim or others. Write an incident report and forward to the Captain of Security/Jail Administration who contacts the prosecuting agency for further direction.
2. Transferring inmates' property
 - a) Upon booking, a victim or third party may retrieve keys and other items in the inmate's

- possession if the inmate signs a release consenting to this.
- b) Unless considered evidence, the inmate can sign a release that permits the victim or a third party to request that the impound lot release the inmate's car.
 - c) If the car is owned by the victim or a party, is not evidence, and the inmate refuses to release the keys, they will be released to that person upon presentation of a court order.
 - d) If an inmate refuses to sign a release, property, keys and other items will be released to the victim or third party upon presentation of a court order.
3. Monitoring inmates' contact with the public
- a) Visits
 - o Visits between inmates subject to no-contact orders and their victims are prohibited.
 - b) Written communication
 - o Staff will intercept correspondence from any inmate to his or her victim through the US Mail for no longer than 24 hours when the correspondence contains threats or attempts to influence the victim with respect to his or her participation in the current prosecution. An incident report will be written by the correction officer. A copy of the letter and the incident report will be given the Captain of Security/Jail Administration. The Captain of Security/Administration will contact the prosecuting agency providing the copy of the correspondence and incident report. The prosecuting agency will give further direction to the Captain of Security/Administration regarding the matter.
 - o Staff will review all correspondence from all inmates for security scanning to look for evidence that they are seeking to contact their victim(s) with no contact orders or otherwise violate the law.
 - o Incidents will be documented on the tracking sheet. If the inmate is subject to a no-contact order, the violation of the order will be reported to the prosecuting agency and the Captain of Security/Jail Administration.
 - c) Phone calls
 - o An inmate restricted to attorney-only calls will be required to give jail staff the name of the attorney. The staff will verify the name and phone number of the attorney and dial the number for the inmate.
 - o If the inmate is subject to a no-contact victim order and staff witness the inmate attempting or making contact with victim, the staff will document violations on the tracking sheet report. The report and any supporting information will be sent to the Captain of Security/Administration. The Captain of Security/Administration will report this information to the prosecutor for further direction.

- If a victim reports phone harassment by an inmate to jail staff, jail staff will notify the victim of the option of blocking their number from phone calls from the jail. The staff then advises the victim to inform the investigator assigned to the case/law enforcement agency involved of the reported phone harassment.

4. Releasing inmates

- a) Verify the inmate's identity as described in jail policy.
- b) Check for outstanding warrants or holds.
- c) If jail staff have a specific safety concern about an inmate's behavior at time of release (such as threats to harm self or others), the staff shall immediately notify the Sergeant/Shift Commander on duty prior to the release of the inmate. The Sergeant/Shift Commander will contact available resources to assess the situation (such as Jail Counselors, Jail Medical Staff, Jail Administration and/or local law enforcement as appropriate and applicable). A jail incident report shall be written as to the situation and the response. If the situation involves a threat to the victim, this information will be shared with the responding law enforcement at the time of the incident. The response must be in a reasonable time period as not to unreasonably delay the release of the inmate.
- d) If an inmate is being released to the community, the inmate is offered assistance with a phone call to arrange transportation or provided a city bus pass. Inmates subject to no-contact orders will not be permitted to contact their victims for transportation.

5. Public Notification

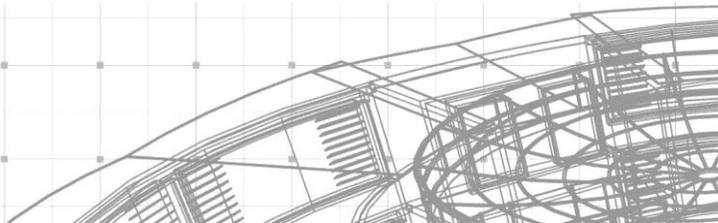
The public may access the St. Louis County Jail Roster to see the current jail status of an inmate in custody which includes inmates transferred to another county jail due to overcrowding. The website is available through:

<http://www.stlouiscountymn.gov/LAWPUBLICSAFETY/Jail/JailRoster.aspx>.

The public may also call and inquire the status of inmates and release specific information by calling the jail at 218-726-2345.

6. Victim notification

- a) Call the victim at the number(s) obtained at the time of booking.
- b) Per policy, attempt three times to call victim directly. If he or she cannot be reached do so at the number(s) provided. Leave a message stating that you are a correctional officer (or deputy) calling from St. Louis County Jail to inform the victim of the defendant's impending release.
- c) In accordance with Minn. Stat. § 629.72, inform the victim of the following:
 - Time of the inmate's release
 - Conditions of release, if information provided by the court



- The time, date, and place of the next scheduled court appearance of the arrested person and the victim's right to be present at the court appearance
 - Phone number of Day One's hotline (866-223-1111) and/or other domestic violence program that will connect the victim to the nearest battered women's shelter.
- d) Notify the victim by mail of the above information.
7. Additional notifications
- a) In accordance with Minn. Stat. § 629.72, notify any local law enforcement agencies known to be involved in the case.
 - b) At the victim's request, notify the local battered women's and domestic abuse program of the inmate release information listed above.

Court Security

Scope

Justice requires truth in a setting that respects the rights of all. The courthouse is a place where harm will be redressed without fear of retaliation, a setting where truth can be spoken. Witness intimidation is an attempt to thwart justice by instilling fear, crippling the ability of our justice system to function with fairness, decency, and integrity. It will not be tolerated.

Training Memos

Available online from Praxis International's *Blueprint Materials* (http://www.praxisinternational.org/blueprint_materials.aspx):

- *1A Practitioners' Guide to Risk and Danger in Domestic Violence Cases*
- *4A Safety Considerations in Sheriff's Office Management of Domestic Violence Cases*
- *Understanding Witness Intimidation (In development)*

Policy 1: Creating a Safe, Secure Courthouse

The practices recommended may not be appropriate for every case. Some may be useful to prevent problems; others may be utilized to terminate inappropriate conduct.

- Ensure visibility of court officers. Observable court security reassures victims and witnesses, and puts defendants on notice that safety is a priority. Maintain occasional presence at lower-traffic areas of the courthouse such as offices and the law library. Make court officers aware of hostilities towards service providers, such as domestic violence advocates, abuser treatment program staff, lawyers, judges and other court staff involved in domestic violence proceedings.
- Reviews the daily state court calendar in MNCIS and prioritize high risk cases and add security when appropriate. Also run warrants for all parties on the daily calendar.
- Position two officers when available at OFP/HRO court in order to maintain security for inside the courtroom and the hallway where an inordinate amount of intimidation occurs, as scheduling permits.
- Inside the courtroom, be alert to intimidating acts by defendants and spectators, including subtle acts of intimidation such as smirking, gestures of disgust or prolonged staring at witnesses, as well as order violations and immediately report such conduct to the judge and prosecutor.
- Have an officer available to escort a victim or witness to their car if there are safety concerns based on the facts of the case or behavior exhibited in the courthouse.

- Encourage and cultivate relationships between court bailiffs and community partners. Bailiffs should be familiar with domestic violence advocates who regularly attend court. Advocates are a source of information and can advise court officers of potentially volatile situations. Depending on the seriousness of a situation, advocates or other community partners might also need an escort inside the courthouse when requested. Utilize court security bailiffs that are familiar with volatile cases.

Policy 2: Intervening in Acts of Witness Intimidation

- When intimidation is brought to the attention of or witnessed by court security, respond promptly to the misconduct and immediately communicate such behavior will not be tolerated. Inform the intimidator of the potential consequences of their actions (removal from the courthouse, moved to another floor of the courthouse or a citation). This alone is often enough to stop misconduct.
- If the behavior continues, use discretion as to what intervention best suits the circumstances. If removing, call for back up and alert supervisor as intimidators may become hostile upon removal.
- If citation warranted, contact a supervisor for a licensed deputy to respond to take witness statements and remove intimidator from the courthouse. A licensed deputy will then take a statement that includes the following:

Who:

- Identify who was intimidating and if they know the person they are accused of intimidating.
- Identify the witness who was intimidated and if they know the person who intimidated them.

What:

- What did the intimidator do (used force, stared, communicated a threat, etc.)
- If a warning was issued by court security concerning intimidating behavior, document what was said to the intimidator. Document any responses the intimidator gave to the court security bailiff.

When/Where:

- Document the time and location in the courthouse of the intimidating act(s).

Why:

Ask the witness what the intimidating behavior was and why it was intimidating to them. This is especially important in cases of non-verbal, non-physical intimidation. In cases of a stare, the intimidation is likely linked to past behavior of the intimidator. The question that must be answered is how is what you know about the intimidator making this current behavior intimidating?

How:

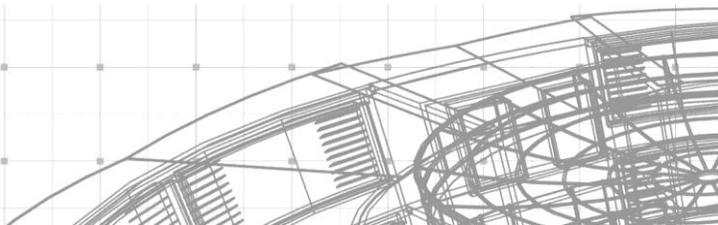
- Did they intimidate in person, via letter, an electronic device, etc.

Policy 3: Courtroom Monitoring of Witness Intimidation

- No in-custody defendant will be allowed to pass or receive anything from anyone or have contact with anyone in the gallery, except as ordered by the judge. If behavior is observed, addressed, and continues; remove the defendant to a holding cell until his or her proceeding is about to begin.
- If an intimidator positions themselves in the courtroom to stare or re-positions to watch the witness, consider taking actions which let the intimidator know they are being watched as this may be enough to deter prolonged staring.
- Instruct spectators to leave the area before or after jurors and witnesses are permitted to leave the courtroom. Family members and friends should be directed to leave in the safest manner possible. Allow the victim to leave first; a defendant who leaves first might use this time as an opportunity to accost the victim in the parking lot, vandalize the victim's car, etc.

Policy 4: Courthouse Monitoring of Witness Intimidation

- If court security witness a violation of a DANCO/HRO/OFP, investigate, and upon establishing probable cause, detain that person in violation of the order and notify a licensed deputy.
- A defendant facing trial could use photos or video to assist in later identifying persons present, or circulate photos or video in a scheme to publicize or harass family or friends of the victim. Taking photographs or video of individuals in courtrooms and court corridors is prohibited by court order. Cell phones, smart phones, digital cameras and recorders, notebooks and other devices that are improperly used maybe seized. Seized devices should be stored together with a photocopy of the owner's identification so that the device may be returned at the completion of the day's proceedings. See attached Policy Regarding Electronic Devices in the Courthouse.
- Upon notification of no contact order violation or intimidating behavior, offer to escort victims and victim advocates to a designated safe waiting area so they have a secure place to wait for the hearing. Notify the appropriate courtroom clerk of the victim's whereabouts. In addition, court security officers can make the defendant move to a different location within the courthouse. Notify clerk of this.



Policy 5: Order for Protection/HRO Court

- The court security bailiff will work with community agencies who are either advocating for one of the parties or facilitating agreements between parties on docket order, safe seating, and victim/witness availability in order to improve safety and lessen the opportunity for intimidation occur or no contact provisions to be violated.

Receiving and Processing Warrants

Policy 1: Receiving Warrants

- Court administration enters all criminal court warrants into state criminal investigative agency database and forwards paper copies to the warrant office.
- In adherence to state policy, enter all felony warrants into the state criminal investigative database and NCIC by the deadline established.
- Prior to processing, paper warrants are available to the apprehension unit for review. If a judge has signed the arrant, the apprehension unit or other law enforcement can choose to work the warrant. Ensure that warrant has been uploaded court appearance.

Policy 2: Processing Warrants

- As mandated by FBI policy, priority for warrant processing goes first to felonies, then to gross misdemeanors, and finally, misdemeanors. Prioritize violent over non-violent misdemeanors.
- Check warrants and enter the date and time on the warrant screen. This starts the clock running for entry into the NCIC.
- Create an electronic warrant file to hold printouts of information about the defendant.
- Verify the defendant's identity and criminal history
- Run a new BCA criminal history each time a new warrant is issued
- Check the electronic information against the paper warrant.
- Felony Warrants into state criminal investigative agency database and NCIC; gross misdemeanor and misdemeanor warrants are entered into the database(s) dictated by state policy.
- Upon completion of processing, initial and forward to a second person for proofreading, if staff resources allow.

Policy 3: Final Warrant Review

- The deputy or deputies responsible for apprehension will review the warrant and determine whether to work it based on level and type of offense.
- Respond to specific requests from other agencies to apprehend a suspect on warrant.

Policy 4: Warrant Apprehension

- Review the warrant and determine priority based on the level and type of offense. Felonies and violent misdemeanors and gross misdemeanors receive priority.

- When a warrant is served on a defendant and a victim is present, give the victim the information card if applicable per state law.
- Warrants for offenders who cannot be located after a reasonable amount of time should be periodically reviewed as time and personnel permit. Priority for follow-up is given to warrants for violent offenders. See “Practitioner’s Guide to Risk and Danger in Domestic Violence Cases”.
- When new information becomes available (for example, from advocacy programs, victims, and law enforcement, the courts, prosecution, probation, or the public), make new attempts to locate defendants as time and resources permit; give priority to domestic violence felonies and misdemeanor domestic violence cases with high risk indicators.